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# **Notice of Allowability**

Application No.

10/774,453

Examiner

Khanh Tran

Applicant(s)

KAY, SHIN-WOONG

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 07/25/2007.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Khanh C. Tran*  
KHANH C. TRAN  
PRIMARY EXAMINER

08/13/07

1. The Amendment filed on 07/25/2007 has been entered. Claims 1-33 are pending in this Office action.

### ***Response to Arguments***

2. Applicant's arguments, see Applicant's Remarks, filed on 07/25/2007, with respect to claims 32-33 have been fully considered and are persuasive. The rejection of claims 32-33 has been withdrawn.

3. Objection to claims 5-6 and 8 have been withdrawn after claims are amended to correct the informalities.

4. Amendment to the Specification has been reviewed and entered.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

5. Regarding claim 1, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest a combination of distinct features "a central processing unit for controlling the entire cable modem, generating a first enable signal and a second enable signal, and outputting data to a data bus" and "a selecting circuit for receiving said first and second enable signals and

the modem signal with adjusted intensity, and under the control of said first and second enable signals, selectively transferring the modem signal with adjusted intensity to a network".

6. Regarding claim 21, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest a combination of distinct features "a central processing unit for controlling said cable modem, generating a first enable signal and a second enable signal, and outputting data to a data bus" and "a selecting circuit for receiving said first and second enable signals and an output signal of said low pass filter, and under the control of said first and second enable signals, selectively transferring the output signal of said low pass filter to a network".

7. Regarding claim 28, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest a combination of distinct features "controlling said cable modem, by a control unit, generating a first enable signal and a second enable signal, and outputting data to a data bus" and "receiving said first and second enable signals and an output signal of said low pass filter by a selecting circuit, and under the control of said first and second enable signals, selectively transferring the output signal of said low pass filter to a network".

8. Regarding claim 32, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest a combination of distinct features "controlling a cable modem, by a control unit, generating a first enable signal and a second enable signal, and outputting data to a data bus" and "receiving said first and second enable signals and an output signal of said low pass filter by a selecting circuit, and under the control of said first and second enable signals, selectively transferring the output signal of said low pass filter to a network".

9. Regarding claim 33, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest a combination of distinct features "a first field containing data representing controlling by a first unit an entire cable modem, generating a first enable signal and a second enable signal, and outputting data to a data bus" and "a first sub-field containing data representing receiving said first and second enable signals in a second unit and outputting a signal in a high state only when both first and second enabling signals are in a high state" and "a second sub-field containing data representing receiving the output signal of said second unit and modem signal with adjusted intensity, and under the control of the output signal of said second unit, selectively transferring the modem signal with adjusted intensity to said network".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Laubach et al. U.S. Patent 6,075,972 discloses "CATV network and cable modem system having a wireless return path".

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCT

  
KHANH C. TRAN  
PRIMARY EXAMINER

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